

August 14, 2015

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Notice of Ex Parte Communication, AU Docket No. 14-252 and GN Docket No. 12-268*

Dear Ms. Dortch:

This letter is submitted pursuant to Section 1.1206(b)(1) of the FCC's rules to notify you that representatives of DTV Utah, LC ("DTV Utah")¹ met on August 12, 2015, with Dorann Bunkin, Joyce Bernstein and Kevin Harding, each of the Media Bureau; Erin Griffith of the Wireless Telecommunications Bureau; Mary Margaret Jackson and Sasha Javid of the Incentive Auction Task Force; Mark Colombo of the Office of Engineering and Technology; and Brian Smith of the Information Technology Center, Optimization Team. Attending the meeting as representatives of DTV Utah were the undersigned, Brandon Smith (Director of Technical Operations, KBYU) and Michael Grover (Manager of Engineering, KBYU).

During this meeting, DTV Utah discussed information presented in its informal comments electronically filed with the FCC on July 2, 2015,² which highlighted the history and benefits of DTV Utah, including a description of the collaboration between, and the shared facility arrangement of, the DTV Utah members. As was also explained in detail in its Informal Comments, DTV Utah addressed the benefits from both a cost and an interference viewpoint of assigning those members (who remain in the repack) channel numbers that are close together and high up in the available television band. For examples of applicable channel assignment patterns under different hypothetical band plans, DTV Utah referenced the chart included as Appendix A in its Informal Comments. DTV Utah also expressed concern that its actual cost and interference benefits may not be recognized or accounted for by the general nationwide optimization process adopted by the FCC in connection with the prioritized factors explained in its Public Notice released the day previous.³

¹ DTV Utah is made up of eight television stations in the Utah market. The licensees of these eight stations are: KUTV Licensee, LLC (licensee of Station KUTV); Utah State Board of Regents (licensee of NCE station KUEN); Bonneville International Corporation (licensee of Station KSL-TV); Nextar Broadcasting Corporation (licensee of *Informal Comments of DTV Utah*, AU Docket No. 14-252 and GN Docket No. 12-268, July 2, 2015 ("Informal Comments").

³ *Procedures for Competitive Bidding in Auction 1000, Including Initial Clearing Target Determination, Qualifying to Bid, and Bidding in Auctions 1001 (Reverse) and 1002 (Forward)*, AU Docket No. 14-252, GN Docket No. 12-268, WT Docket No. 12-269, MB Docket No. 15-146, Public Notice, pgs. 127-131 (August 11, 2015).

In addition to highlighting these benefits, DTV Utah also sought recommendations from the FCC on additional action(s) DTV Utah could take, and/or information it could provide, in connection with the repack process in order to secure channel assignments that would facilitate retaining the existing DTV Utah shared facility for its members who do not relinquish their licenses during the incentive auction. The group discussed the possibility and benefits of conducting an engineering study to explore optimal channel configurations for the DTV Utah group, but it was understood by DTV Utah, from those discussions, that the timing of such a study, if needed, would be most effective if conducted following the FCC's release of its channel reassignment public notice after the close of the incentive auction. It was also explained that DTV Utah would need to obtain approval from other television licensee(s) in the market should subsequently proposed channel re-assignments for DTV Utah members subject such licensee(s) to new channel assignments and/or interference above an established threshold percentage.

DTV Utah also sought general clarification as to the FCC's prohibited communications rules to be imposed during the "quiet period" and how limitations and restrictions may apply to communications between the DTV Utah broadcast licensees. DTV Utah pointed out that it would be necessary for its members to continue to conduct business activities, such as regularly scheduled meetings, with respect to the group's joint operations. DTV Utah also discussed generally how such limitations and restrictions could impact communications between DTV Utah members and third-party non-broadcasters, such as engineering companies, retained by DTV Utah to provide consulting and/or maintenance services to each of the DTV Utah members.

There was also general discussion during the meeting as to the ATSC 3.0 broadcast standard and how the timing and adoption of such could further affect broadcasting operations.

In conclusion, DTV Utah reiterates its appreciation for the attention the FCC has given to the Utah broadcasting market, and in particular, the unique situation of the DTV Utah licensees.

Respectfully submitted,



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